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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/828,947	04/21/2004	Edward Triou JR.	MSFT-3017/307734.01	7147

41505 7590 04/19/2007
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EXAMINER

ASSESSOR, BRIAN J

ART UNIT PAPER NUMBER

2114

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/19/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/828,947

Applicant(s)

TRIOU ET AL.

Examiner

Brian J. Assessor

Art Unit

2114

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 1/31/2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12, 14, 22-24 and 27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12, 14, 22-24 and 27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 4/21/2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- 1) ☐ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-3, and 7 are rejected under 35 U.S.C. 102(b) as being anticipated by Ahrens JR (2002/0124213).

As per claim 1:

A method for analyzing test results, comprising:

reading test result data corresponding to at least two test failures; (Ahrens JR page 3, paragraph 0036)

wherein a test failure comprises a failed attempt by a software application to conduct an electronic operation on a computer equipped with an operating system; (Ahrens JR page 3, paragraph 0036-0037)

wherein said test result data identifies an operating system associated with each test failure; (Ahrens JR page 3, paragraph 0049)

determining a representative test failure in said test result data, said representative test failure corresponding to a first failed operation; (Ahrens JR page 3, paragraph 0049)

determining at least one related test failure corresponding to a second failed operation, wherein said second failed operation is a same operation as said first failed operation; (Ahrens JR page 3, paragraph 0051; if they are the same error than the error counter is incremented.)

parsing said test result data to generate a list of operating systems corresponding to said representative test failure and said at least one related test failure; (Ahrens JR page 2, paragraph 22; Figure 5)

linking said list of operating systems to said representative test failure in said database. (Ahrens JR page 3, paragraph 49 and 51; the error is associated with an OS and then forwarded to be stored in the event log.)

As per claim 2, Ahrens JR teaches:

A method according to claim 1, wherein at least a portion of said method is accomplished by a stored procedure in a database. (Ahrens JR page 3, paragraph 51; service processor maintains the log database.)

As per claim 3, Ahrens JR teaches:

A method according to claim 1, wherein said test result data identifies a computer processor associated with each test failure, and further comprising including computer processor identification in said list of operating systems. referencing said test result data corresponding to at least two test failures such that at least one property of said at least one related test failure is accessible from said at least one related test failure without

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accessing all properties of said at least one related test failure. (Ahrens JR page 3, paragraph 49; the partition and failing unit are identified.)

As per claim 7:

Claim 7 is a computer readable medium claim corresponding to the method claim

1. Therefore, claim 7 is rejected for the same rationale set forth in claim 1.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 4-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ahrens JR (2002/0124213) in view of Snover (6,438,716).

As per claim 4:

Ahrens fails to explicitly disclose exposing said at least one representative test failure through a Graphic User Interface ("GUI").

In column 7, lines 22-27, Snover clearly discloses a method for displaying test failure information through a GUI. It would have been obvious to a person of ordinary skill in the art to include the GUI as taught by Snover in order to display error information to the user. This would have been obvious to include the GUI method

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because Snover clearly teaches that a GUI is better suited for allowing a user to see the errors and an improved method for displaying custom error messages.. (Snover column 1, lines 44-50)

As per claim 5:

Ahrens fails to explicitly disclose marking said at least one representative test failure in said GUI as an expected failure.

In column 7, lines 22-27, Snover clearly discloses a method for displaying test failure information through a GUI. It would have been obvious to a person of ordinary skill in the art to include the GUI as taught by Snover in order to display error information to the user. This would have been obvious to include the GUI method because Snover clearly teaches that a GUI is better suited for allowing a user to see the errors and an improved method for displaying custom error messages.. (Snover column 1, lines 44-50)

As per claim 6:

Ahrens fails to explicitly disclose deemphasizing said at least one representative test failure in a said GUI with respect to any unexpected failures.

In column 7, lines 22-27, Snover clearly discloses a method for displaying test failure information through a GUI. It would have been obvious to a person of ordinary skill in the art to include the GUI as taught by Snover in order to display error information to the user. This would have been obvious to include the GUI method

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because Snover clearly teaches that a GUI is better suited for allowing a user to see the errors and an improved method for displaying custom error messages.. (Snover column 1, lines 44-50)

Claims 8-11, and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ahrens JR (2002/0124213) in view of Miller (7,058,860).

As per claim 8, Ahrens teaches:

A method for classifying test results, comprising:

extracting data from a test result file, wherein said test result file identifies a failed attempt by a software application to conduct an electronic operation on a computer equipped with an operating system; (Ahrens JR page 3, paragraph 0051)

linking an operating system identification from said test result file to said failure characteristics. (Ahrens JR page 3, paragraph 49 and 51; the error is associated with an OS and then forwarded to be stored in the event log.)

Ahrens fails to explicitly disclose comparing said data to failure characteristics stored in a database and matches said failure characteristics.

In column 3, line 19-22, Miller clearly teaches a method for comparing error log data to saved error information in a database. It would have been obvious to a person of ordinary skill in the art to include the database comparison error diagnostic method as taught by Miller in order to create an efficient error correction system. This would have been obvious to a person of ordinary skill in the art because Miller clearly teaches

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that the above method is better suited for solving malfunctions in computer products.

(Miller column 1, lines 44-55)

As per claim 9:

A method according to claim 8, further comprising marking properties of test result files to be ignored during said comparing. (Miller column 3, lines 22-24)

As per claim 10:

A method according to claim 8, wherein at least one of said failure characteristics is an abstract characteristic that can be matched by a variety to data from a test result file. (Miller column 3, lines 26-30; this would include abstract and non-abstract information.)

As per claim 11:

A method according to claim 8, further comprising adding new failure characteristics to said database if said data from a test result file does not match said failure characteristics, wherein said new failure characteristics correspond to said data from a test result file. (Miller column 3, lines 30-34)

As per claim 14:

A method according to claim 8 further comprising marking failure characteristics to indicate that a failure they represent is expected. (Ahrens JR page 3, lines 38)

Claims 12, 22-24, and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ahrens JR (2002/0124213) in view of Miller (7,058,860) further in view of Snover (6,438,716).

As per claim 12:

A method according to claim 11, further comprising emphasizing said new failure characteristics in a GUI with respect to failure characteristics that are not new. (Snover column 7, lines 19-27)

As per claim 22:

A method for classifying test results, comprising:
extracting data from a test result file, wherein said test result file identifies a failed attempt by a software application to conduct an electronic operation on a computer equipped with an operating system; (Ahrens JR page 3, paragraph 0051)

Ahrens fails to explicitly disclose a methods for comparing said data from a test result file to failure characteristics stored in a database, wherein first data that identifies a test operation is used in said comparison and second data that identifies a test scenario.

In column 3, line 19-22, Miller clearly teaches a method for comparing error log data to saved error information in a database. It would have been obvious to a person of ordinary skill in the art to include the database comparison error diagnostic method

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as taught by Miller in order to create an efficient error correction system. This would have been obvious to a person of ordinary skill in the art because Miller clearly teaches that the above method is better suited for solving malfunctions in computer products.

(Miller column 1, lines 44-55)

Ahrens and Miller fail to explicitly disclose a method identifying said data from a test result file and said failure characteristics as a single failure in a Graphical User Interface (GUI).

In column 7, lines 22-27, Snover clearly discloses a method for displaying test failure information through a GUI. It would have been obvious to a person of ordinary skill in the art to include the GUI as taught by Snover in order to display error information to the user. This would have been obvious to include the GUI method because Snover clearly teaches that a GUI is better suited for allowing a user to see the errors and an improved method for displaying custom error messages. (Snover column 1, lines 44-50)

As per claim 23:

A method according to claim 22, wherein said comparing is accomplished by a stored procedure in a database. (Ahrens JR page 3, paragraph 51; service processor maintains the log database.)

As per claim 24:

A method according to claim 22, further comprising cross-referencing said of operating system identifiers such that it is accessible through said GUI from said single failure. (Snover column 7, lines 22-27)

As per claim 27:

A method according to claim 22, wherein said data from a test result file is in Extensible Markup Language ("XML") format. (Miller column 3, lines 3-5)

Response to Arguments

Applicant's arguments with respect to claims 1-12,14,22-24 and 27 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian J. Assessor whose telephone number is (571) 272-0825. The examiner can normally be reached on M-F 9:30-6:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Scott Baderman can be reached on (571)272-3644. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

BA


SCOTT BADERMAN
SUPERVISORY PATENT EXAMINER